

**CITY OF  
LAKELAND, TENNESSEE**

**DEVELOPMENT HANDBOOK**

**Prepared For:**

**LAKELAND BOARD OF COMMISSIONERS**

**Updated April 10, 2007**

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# **CHAPTER 1 - INTRODUCTION**

## **PURPOSE OF HANDBOOK**

This development handbook is designed to serve as a guide to elected officials, boards and commissions, prospective developers of property, and citizens interested in the development processes of Lakeland, Tennessee. It provides a summary of the processes and schedules for various regulatory requirements associated with development. In the event there is a discrepancy between this handbook and actual city ordinances or regulations, the adopted city ordinances or regulations govern.

There may be multiple approvals required depending upon the nature of the development activity requested and the handbook serves as a guide to these approvals.

Developers are usually required (depending on the type of application), and always recommended, to schedule pre-application conferences with appropriate city staff prior to submitting applications for any development activity. This will minimize any delays due to misinterpretation of the application requirements and deadlines.

The City website should be updated periodically with amended City plans and regulations, and amendments to this handbook. However, requirements and processes are subject to change, and it is incumbent upon any potential user of property to seek advice from the appropriate city officials regarding the current requirements and standards.

# **LAKELAND COMMUNITY OVERVIEW**

## **LAKELAND HISTORY**

Lakeland is located in northeast Shelby County at exits 18 and 20 of Interstate 40, about two miles east of Wolfchase Galleria. Other major entrances into Lakeland are from U.S. 64 at Canada Road and from U.S. 70 at Canada Road. Recent annexation (2005) has extended Lakeland's northern boundary to Pleasant Ridge Road. As of June 30, 2005 the official population was 8,011, according to the State of Tennessee.

In 1959, Lakeland was an amusement park consisting of a 327-acre lake (Garner Lake), a few animal statues and the Ol' "Huff N Puff" Train. In the sixties a popular Mid South Drag Strip drew crowds to Lakeland.

The incorporation of Lakeland was conceived and financed by Louis Garner. Beverle Rivera and Henry Veasy circulated petitions. Edward Johnson and Lt. Governor John Wilder did legal preparations.

The first elected officials were Beverle Rivera, William H. Howick and Earl Webber. Beverle Rivera was the first Mayor of Lakeland and the first City meeting was held in September of 1977 at the old Lakeland Cafe. A bedroom of the Rivera home served as City Hall. No salaries were paid until 1982.

June 12, 1977 Lakeland incorporated its 260 homes, 7 1/2 miles of roads and 612 citizens into the City of Lakeland, Tennessee. Belz Mall was built in 1979 and in 1981 the first City Hall was built.

## **CITY FLOWER**

The Crepe Myrtle has been designated as the flower to represent the city.

## **CITY LOGO**

The city logo was designed by Becky Scobey of Bartlett in 1977. The original oil painting hangs in City Hall.



## **CITY FLAG**

In 1985 a Lakeland city flag designed by Cindy Townsend McCord was chosen from designs submitted in a citywide contest. It was dedicated at the Homecoming '86 function on June 15, 1986.

## **GOVERNMENT**

Lakeland is unique among West Tennessee cities in having a City Manager-Commission form of government. Unlike our neighboring cities with mayors who are the chief operating officers, Lakeland's major operational activities are handled by a City Manager, who is appointed by the Board of Commissioners. Under Lakeland's form of government, the Board of Commissioners and the Mayor are elected at large. The commissioners' duties are to set city policy through legislation and to supervise and evaluate the management of the city provided by the City Manager.

The Mayor's special responsibilities are to preside over Commission meetings, appoint members of the Planning Commission, sign BOC-approved documents, and represent the City at official functions. The Mayor has an equal vote with the other commissioners in conducting city business without veto power.

## **LAKELAND STRATEGIC PLAN**

### **MISSION STATEMENT**

Lakeland strives to be a special community with a strong sense of place: community-friendly, environmentally sensitive, functioning as a sustainable and enduring city for its residents and business interests. Lakeland participates fully in metropolitan projects and organizations to assure a brighter future for the entire Memphis metropolitan area.

**"Lakeland: Where quality of life is a way of life."**

## **STRATEGIC PLAN OVERVIEW**

The adoption of a strategic plan for the City is analogous to laying tracks along which the city will move in future, guiding the community in a direction that will enhance the quality of life for all the residents and commercial interests within the boundaries of Lakeland and beyond.

The Board of Commissioners realizes that to attain its long-term goals requires that a uniform set of documents be adopted that covers all areas of city government and its operation. To this end a revised Comprehensive Plan, Zoning Ordinance and Subdivision Regulations have been adopted whose contents are in line with the above mission statement and as further detailed in the following sections.

## **STRATEGIC PLAN VALUE STATEMENT**

The values upon which this plan is based are believed to be common to those who have chosen Lakeland as their home. They include:

- Enhancing the quality of life for all who live and work in Lakeland.
- Creating a sense of community, which to be fully realized requires a clearly identifiable hub or center to our town with connecting links and focal points throughout the city.
- Maintaining the natural character of the city as a whole, which means respecting the terrain and environment in general.
- Fostering a sense of uniqueness about the character of Lakeland that will not only draw people to want to live here, but will foster a desire to continue living here.

## **STRATEGIC PLAN - LAKELAND'S ASSETS**

- The City is uniquely endowed with many active volunteers in a number of civic organizations who help foster a great sense of community and who are actively involved in making Lakeland a better place to live. They work at bringing people together.
- At present, the City is only partially developed. While it lies in the path of major development in the future, the City still has time to express how it wishes local development to proceed to satisfy its mission statement.

- The natural terrain fosters a sense of countryside rapidly disappearing in other communities within Shelby County, but which can be preserved through careful planning.
- Garner Lake, a number of smaller lakes, ponds and streams, and the Stonebridge Golf Course offer focal points and recreational opportunities that improve the quality of life for all in the City.
- The City maintains the 65-acre IH Park, natural park, a well-developed City Hall Park, and numerous other parks that have been or will be developed.
- Additional parkland and identified greenways are set aside as development proceeds.

## **STRATEGIC PLAN GOALS**

Our vision for the future is based on a desire to create a community that encourages:

- Clear vision and leadership
- Far-sighted planning
- Economic viability and diversity
- Sustainability as a fully functioning city
- Creative development by building neighborhoods, not subdivisions
- Creation of a unique city center or hub for the community

## **LAKELAND COMPREHENSIVE PLAN**

### **COMPRHENSIVE PLAN OVERVIEW**

The Comprehensive Plan of the City of Lakeland was originally adopted in 1996, and updated in March 2002, March 2006, and June 2006. A notebook containing the Plan and amendments can be purchased at City Hall. A CD of the 2006 amendments can be purchased separately. The Comprehensive Plan is the primary document which guides decisions for land use, including, but not limited to, rezoning land, Planned Development Special Permits, and conditional uses of land. The updated Land Use Plan component of the Comprehensive Plan replaces all prior land use classification recommendations in Lakeland, and adds several new recommended classifications. The legend on the following page provides brief descriptions of the recommended land use classifications. In addition, the Land Use Plan refines or changes the recommended locations of scenic corridors, public pedestrian or bikeway facilities, parks, and other facilities.

A legend of land use classifications and brief descriptions is provided on the following page.

**OPEN SPACE** - Public and private recreation facilities and greenways.

**RURAL** - Primarily agricultural uses that may contain residential lots greater than 5 acres. Development does not require public water or sanitary sewer service. Streets are designed in accordance with a rural cross-section.

**EX-URBAN NEIGHBORHOOD** - Primarily large estate residential lots on 2-5 acre tracts but may contain agricultural uses. Development requires public water but not sanitary sewer service. Streets may be designed with a rural or urban cross-section. Refer to Major Road Plan.

**SUBURBAN NEIGHBORHOOD** - Primarily single family residential lots with a maximum density of 2.5 lots per acre but may contain religious facilities, schools and public buildings. Development requires public water and sanitary sewer service. Streets shall be designed with an urban cross-section.

**MIXED USE CENTER** - Primarily planned developments that may contain single-family attached or detached, multifamily, religious facilities, schools, public buildings, institutional, office, and limited commercial uses to serve the planned development. Development requires public water and sanitary sewer service. Streets are designed with an urban cross-section.

**RESIDENTIAL SUPPORT CENTER** - Primarily planned developments containing neighborhood commercial uses with no one user having greater than 75,000 square feet, limited office, religious facilities, schools, public buildings and institutional uses. Development requires public water and sanitary sewer service. Streets shall be designed with an urban cross-section.

**EMPLOYMENT CENTER** - Primarily planned developments containing office centers, research and development uses and flexible office-warehouse-commercial buildings and may contain commercial buildings greater than 75,000 square feet.

**LIGHT INDUSTRIAL** - Planned developments containing office-warehouse buildings, self storage facilities, bulk warehouses less than 75,000 square feet, riding academies, greenhouses, lumberyards, manufacture and fabrication of small electronic equipment and contractors' storage facilities.

**TND OVERLAY** - Areas acceptable for planned developments subscribing to the principles of traditional neighborhood developments. Areas may contain single-family detached and single-family attached residential at a density of less than 3.5 units/lots per acre. Areas may also contain limited commercial, limited office, public buildings, religious facilities, schools and institutional uses. Areas shall contain substantial active and passive open spaces. Development requires public water and sanitary sewer service. Streets shall be designed with an urban cross-section.

**CONSERVATION OVERLAY** - Primarily planned developments containing single-family residential lots that require conservation development practices in the design and preservation of natural resources. Areas shall contain substantial passive open space and possibly some limited active open space. Development requires public water and sanitary sewer service. Streets may be designed with a rural or urban cross-section as approved by the Municipal Planning Commission and Board of Commissioners.



## **NEW DEVELOPMENT**

If new development is being contemplated, City staff should be contacted for preliminary inquiries about whether the proposed development would be compliant with the Comprehensive Plan, as well as the existing zoning designation of the land, and City regulations. See the Governing Documents / Regulations chapter of this handbook, as well as the Development Processes chapter to obtain an idea of other pertinent considerations for new developments.

## **COMPREHENSIVE PLAN GOALS AND OBJECTIVES**

The Goals and Objectives of the Comprehensive Plan are obtained from the 1996 Plan and the 2002 and 2006 updates when taken in their totality. The most recent (2006) revisions to the Goals and Objectives provided for refinements and/or increased emphasis on protecting natural resources, creating community identity, fiscally responsible development, innovative and quality design, transportation, preventing sprawl, and controlling the coordination of public facilities. As of November, 2006, the City was in the process of updating its development codes more accurately implement some of these objectives.

## **COMPREHENSIVE PLAN SITE DESIGN**

The 2006 Comprehensive Plan Update contains illustrative sketches of development scenarios for several of the land use classifications indicated on the prior page. In addition, illustrative sketches of preferred road and pedestrian-bike facilities were included. As the City embarks on a project to rewrite many of its development regulations in early 2007, these design guidelines will likely be refined and enhanced.

## **COMPREHENSIVE PLAN NATURAL RESOURCES INVENTORY**

In February, 2007, a Natural Resources Inventory was added to the Comprehensive Plan. New components are expected to be added in 2007. Lakeland's longstanding emphasis of protecting resources are development occurs continues with this addition to the Plan. This inventory will be utilized on a macro level and a site level to plan development.

## **CHAPTER 2- GOVERNMENTAL BOARDS, COMMISSIONS, AND STAFF**

### **BOARD OF COMMISSIONERS (BOC)**

The Lakeland Board of Commissioners (BOC) consists of four commissioners and the mayor. Each position is elected to a four-year term. The Commission acts on all ordinances, contracts, the city budget, most Municipal Planning Commission recommendations, and various other duties.

The BOC's meeting schedule is:

Work Session - fourth Monday of each month, 6:30 p.m., City Hall

Regular Meeting - first Thursday of each month, 6:30 p.m., City Hall

Special meetings may be called as needed. Citizens are welcome to attend.

### **SEWER BOARD**

This board is comprised of the five members of the Board of Commissioners. The Board of Sewerage Commissioners oversees the management and handling of the Lakeland sewer system. This process is normally initiated prior to or concurrently with a preliminary plat or preliminary development plan being docketed for MPC. Action occurs during regular BOC meetings.

The Sewer Board's meeting schedule (part of the BOC Regular Meeting, above) is:

Work Session - fourth Monday of each month, 6:30 p.m., City Hall

Regular Meeting - first Thursday of each month, 6:30 p.m., City Hall

## **MUNICIPAL PLANNING COMMISSION (MPC)**

A mayor-appointed, seven-member board with three-year terms, including the mayor and a BOC member liaison. The MPC recommends for BOC action all zoning changes, and planned development special permits. The MPC has sole authority to act on the Comprehensive Plan, Subdivision Regulations, site plans, subdivision plats, and land disturbance permits for properties over one acre. The MPC also recommends ordinances relating to zoning, development, land use, and erosion control for BOC consideration. The general public, developers, and the MPC can present items for the agenda to the City Manager.

*Regular Meeting* - third Monday of each month City Hall, 6:30 p.m., or as otherwise scheduled on the MPC Annual Filing and Meeting Schedule.

## **DESIGN REVIEW COMMISSION (DRC)**

A seven-member BOC appointed board with one-year terms (one of the seven members is a commissioner acting as liaison). The DRC approves the visual aesthetics of all commercial construction (signage, facade treatment, lighting, parking, fences and landscaping). For residential subdivisions and planned developments, the DRC approves lighting, fencing, landscaping, parking, and entrance treatments.

City beautification and recommendations for ordinances related to its areas of concern are also DRC activities.

Builders must follow the requirements of the MPC and DRC in completely separate sets of applications and board hearings.

DRC may optionally comment on proposed new development (such as planned developments, site plans, or conditional uses) at MPC, BOC, or BOA meetings.

*Regular Meeting* - second Tuesday of each month, at City Hall, 6:30 p.m.

## **ECONOMIC DEVELOPMENT COMMISSION (EDC)**

This is a 7 member BOC-appointed board, with staggered 3-year terms. One BOC Commissioner and one MPC Commissioner may attend as liaison. The EDC reviews and proposes economic development initiatives and programs, and maintains a relationship with current and potential Lakeland businesses.

EDC may optionally comment on proposed new development (such as new zoning, planned developments, site plans, or conditional uses) at MPC, BOC, or BOA meetings.

**Regular meeting** - fourth Thursday of the month, 6:30 p.m., City Hall.

## **BOARD OF APPEALS (BOA)**

This is a five-member BOC-appointed board, including one BOC commissioner as liaison, with staggered three-year terms. For decisions of the BOC, MPC, or DRC, relating to zoning, construction or signs, that City ordinances permit to be appealed, appeals must be submitted in writing to the City Manager within the applicable period immediately following the decision.

Variances from certain ordinances, where stipulated, are also requested from the BOA. Finally, Conditional Uses must be approved by the BOA, except within Planned Developments. Decisions of the BOA cannot be appealed to the BOC, but must be handled in civil court.

**Regular Meeting** - third Thursday of each month when necessary  
6:30 p.m., City Hall

## **PARKS RECREATION BOARD / NATURAL RESOURCES BOARD (PRB / NRB)**

A seven-member BOC-appointed board, including one BOC commissioner liaison, with staggered 3-year terms. Its purpose is to plan, promote and implement recreational opportunities, programs and facilities within Lakeland. Citizens may request items for the agenda one week in advance of a regular meeting.

Residential preliminary plat and planned developments are docketed for this board's recommendation pertaining to certain parks and natural resources issues prior to proceeding to MPC.

This board may also optionally comment on other proposed new development (such as new zoning, planned developments, site plans, or conditional uses) at MPC, BOC, or BOA meetings.

**Regular Meeting** - second Monday of each month 6:30 p.m., City Hall

## **CITY STAFF**

The primary departments involved in the land development process are the Planning Department, the Engineering Department, the Natural Resources Department.

### **Contact the Planning Department for:**

- Zoning and subdivision standards and/or approvals
- Signs
- Docketing items for Municipal Planning Commission, the Design Review Commission, or the Board of Appeals
- Long term planning, and information about the Comprehensive Plan, zoning, or general development process.

### **Contact the Engineering Department for:**

- New infrastructure, including sewer, drainage and stormwater, roads
- Traffic study requirements
- Floodway information
- Construction Plans and Land Disturbance Permits
- Final acceptance of improvements.

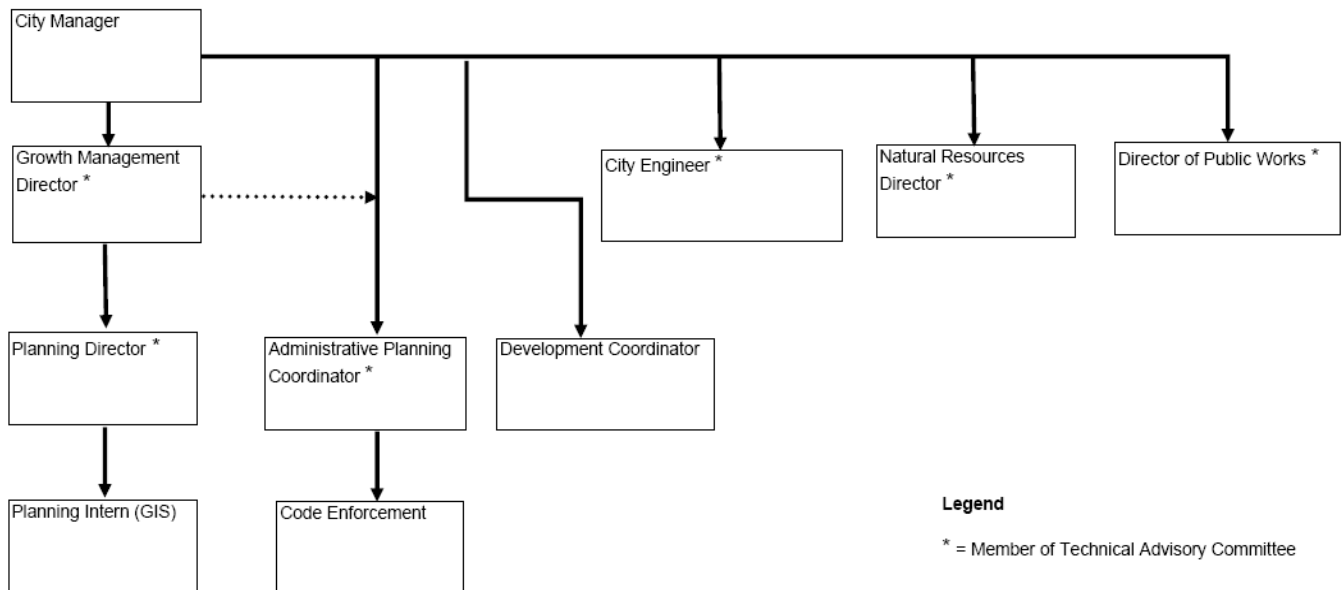
### **Contact the Natural Resources Department for:**

- Tree Management Ordinance, including specimen trees
- Stream buffer requirements in new developments

## CITY STAFF

Below is an organizational chart for the staff who are primarily involved in the development process.

### City of Lakeland Development Staff



## CITY ADDRESS

Lakeland City Hall  
10001 Highway 70, Lakeland, TN 38002  
Phone: (901) 867-2717  
Fax: (901) 867-2063  
Email: [cityhall@lakelandtn.org](mailto:cityhall@lakelandtn.org)

## REGULAR BUSINESS HOURS

8:00 A.M. TO 4:30 P.M., Monday through Friday

# **CHAPTER 3- GOVERNING DOCUMENTS/ORDINANCES**

## ***Comprehensive Plan***

Comprehensive Plan, City of Lakeland  
Prepared by ETI Corporation, July 1996

Comprehensive Plan Update  
Prepared by Allen & Hoshall, March 2002

Comprehensive Plan Update, City of Lakeland  
Prepared by Dugan & Assoc.  
July 1996, Updated March 2002, March 2006, June 2006, and February,  
2007)

## ***Zoning Ordinance, City of Lakeland***

Zoning Ordinance, City of Lakeland, Tennessee  
Prepared by Allen & Hoshall  
Adopted by Board of Commissioners: March 7, 2002, Ordinance 02-05,  
as amended by ordinances 02-09, 02-13, 03-28, 03-29, 03-30, 03-48, 03-52,  
04-58, 06-85, 07-99, 07-103)

## ***Subdivision Regulations, City of Lakeland***

Subdivision Regulations, City of Lakeland, Tennessee  
Prepared by Allen & Hoshall  
Approved by the Municipal Planning Commission: March 4, 2002, as  
amended on January 22, 2003, and November 20, 2006

## ***Design Review, City of Lakeland***

Ordinance 00-14, Title 4, Chapter 3, Lakeland Design Review Commission,  
December 7, 2000

City of Lakeland Zoning Ordinance, Article IV, Site Plan Review

Ordinance 03-41, Title 14, Chapter 4, Signs, as amended by Ord. 04-59

Title 14, Chapter 7, Fences and Walls

Ordinance 04-68, Title 14, Chapter 9, Landscaping and Screening  
Requirements, as amended by Ord. 05-82 and Ord. 07-100.

Ordinance 04-69, Title 14, Chapter 10, Site Lighting Requirements, as amended by Ord. 07-101.

Ordinance 04-70, Title 14, Chapter 11, Architectural Design Standards, as amended by Ord. 102.

### ***Land Disturbing Permit***

The Erosion and Sediment Control Handbook, produced by the Tennessee Department of Environment and Conservation

### ***Municipal Planning Commission***

(All development-related ordinances and plans)

By-Laws of the Lakeland Municipal Planning Commission

### ***Board of Appeals***

City of Lakeland Zoning Ordinance, Article XII

By-Laws of the Lakeland Board of Appeals

### ***Sign Ordinance***

Ordinance 03-41 adopted on June 12, 2003, as amended by Ordinance 04-59, adopted on March 4, 2004.

### ***Sewerage Commission***

Ordinance 00-04, Adopted May 2000; Ordinance 99-02, Adopted April 1, 1999

### ***Tree Management Ordinance***

Lakeland Tree Management Ordinance, Adopted February 1, 2001, as amended by Ord. 02-15, Ord. 03-36, and Ord. 04-73

### ***Park Plan***

Park Master Plan, City of Lakeland, Prepared by Allen & Hoshall, August, 2000

**Lakeland Municipal Code**, Codified May 2002



## CHAPTER 4 - DEVELOPMENT PROCESSES

This handbook does not cover every process that is regulated by the City of Lakeland. It is designed to address the primary processes associated with the development of property in Lakeland. A prospective user of property should contact city officials noted under the contacts section of this handbook to determine what processes are relevant for the nature of the use desired.

The processes addressed include:

- Zoning Map Amendment
- Planned Development
- Subdivision
- Design Review
- Site Plan Review
- Variance For Zoning or Tree Ordinance
- Land Disturbance Permit
- Tree Removal Permit

See Chart 1 on the following page, for a generalized description and to begin understanding Lakeland's development approvals. Following this chart are subsections of this chapter for each type of development approval, and flowcharts with further details are provided.

**Insert in place of this page, the following pages:**

“City of Lakeland Land Use Approvals”, flowchart, 11x17”

**Insert in place of this page, the following page:**

“MPC Annual Filing and Meeting Schedule”, 11x17”

## **Zone Map Amendment**

The authority to establish a Municipal Planning Commission and Municipal Planning Regulations, including zoning, is provided for in Tennessee Code Annotated Section 13-4 under Municipal Planning. Pursuant to this section, Lakeland adopted the current Zoning Ordinance on March 7, 2002, and has subsequently amended it from time to time.

The following page provides basic descriptions of existing zoning classifications within the Lakeland Zoning Ordinance. Article IV of the Zoning Ordinance provides additional information about these classifications, including permitted uses. A Zone Map showing current zoning throughout Lakeland can be obtained from City staff or from the City website. Note that due to the March, 2006 update of the Comprehensive Plan, it is likely that some new districts will be created, and some old districts will be eliminated. See City staff for advice on whether these classifications still apply.

## **ZONING DISTRICTS – CITY OF LAKELAND**

**AG** - Agricultural - Agricultural services, forestry, or larger-lot single family residential development. These areas do not require extensive municipal services. Single family residential development is allowed with a minimum 5-acre lot.

**E-R** - Estate Residential - Single family residential development having a density level no greater than 0.5 units / acre (minimum 2-acre lot). These areas may be served by a rural level of municipal services (public water and sewer are not required if certain conditions are met).

**R-R** - Rural Residential - Single family residential development having a density level no greater than 1.1 units / acre. These areas should be served by all municipal services (public water and sewer).

**R-1** – Low Density Residential - Single family residential development with a density level no greater than 2.1 units / acre (minimum 17,500 square-foot lots). These areas shall be served by all municipal services.

**R-2** – Medium Density Residential - Single family residential development at a density level no greater than 2.9 units / acre (minimum 12,500 square-foot lots). These areas shall be served by all municipal services.

**M-R** – Multiple Family Dwelling - Residential uses, except for mobile homes and single-family detached, with a density level no greater than 10 units / acre for apartment dwellings and lesser densities for other types of residential development. These areas shall be served by all municipal services and provide direct access to a major or collector street.

**O-N** – Neighborhood Office - Professional office locations. This district is intended to be small (minimum lot size 10,000 square feet) and will be most likely situated between business and residential districts in areas that are served by all municipal services. The provisions are designed to be compatible with nearby residential districts.

**O-G** – General Office - Professional office locations. This district will be for larger scale office development than the neighborhood office district. This district shall be served by all municipal services.

**C-1** – Neighborhood Business - Commercial activities that are not high traffic generators, located near residential areas, and served by all municipal services.

**C-2** – General Business - Commercial activities located along major transportation routes served by all municipal services.

**I-L** – Light Industrial - Selected industrial uses that would be complemented by other uses such as wholesale sales and limited retail sales services. These areas shall be served by all municipal services.

**FW** – Floodway - Specified uses that will not be damaged if flooded or create flood-related hazards.

Article XIII of the Zoning Ordinance provides for requirements for zone map amendments, or the “rezoning” process. As of late 2006, the zoning classifications had not yet undergone revision to coincide with the 2006 Comprehensive Plan Update. Consult Planning Department staff about which zoning districts best accomplish the objectives of the Comprehensive Plan until further notice.

The zoning process is governed by both the Municipal Planning Commission (MPC) and also the Lakeland Board of Commissioners (BOC). All zone map amendments must be acted upon by both of these bodies. The MPC must act on each proposed amendment and make a recommendation to the BOC, which will render final action. Text amendments to the zoning ordinance may only be initiated by MPC or BOC, and similarly must be acted on by both bodies.

Under Lakeland’s charter, this requires two readings with the Board of Commissioners (BOC). A BOC public hearing, with notice given at least 15 days before the hearing, is also required. The BOC may approve, reject, or amend a requested rezoning. If approved, the Official Zoning Map is changed. Zoning on a parcel continues with the land and is not affected by transfer of property to another owner.

The BOC, MPC, or any other person may initiate a zone map amendment. The fundamental steps in a zone map amendment are provided below and graphically on the following flow chart:

Public notice for a newspaper of general circulation for MPC and BOC approvals is prepared and coordinated by City Staff. Notice is then supplied to the applicant, for the applicant to mail to each nearby property owner abutting within the distance prescribed by the regulations. In addition, the City has a standard format for notification signs to be posted on the site as prescribed by the regulations. It is suggested that these sign(s) be enlarged to a minimum size of 24” x 24” on a weatherproof material. The applicant is required to file a notarized affidavit of notice on a form supplied by the City indicating that notice has been completed, prior to the applicable MPC or BOC meetings.

#### Step 1: Pre-application Conference

A pre-application conference is recommended for all cases but required for cases, such as Special Permits or Planned Development, involving site plans. The pre-application conference should be conducted 30 or more days in advance of the submission of an application.

#### Step 2: Submit Completed Application to Staff

A completed application must be submitted according to the MPC Annual Filing and Meeting Schedule, approximately 30 or more days prior to the MPC meeting. Incomplete applications must be supplemented with all required

information prior to this deadline to be accepted for the next scheduled MPC meeting.

Contact the Administrative Planning Coordinator for a copy of the current application form and requirements. All rezoning applications shall include: 1) Completed copy of the official application form and required attachments (including parcel map of surrounding property owners within 1,000 feet) 2) Survey and legal description of the property; 3) Tree Survey.

#### Step 3: Municipal Planning Commission Action

The MPC must act on completed and timely filed applications within 60 days, and the item must be passed on the BOC within 45 days of that time. The MPC action can include a recommendation of approval, rejection, or at the concurrence of the applicant, the application may be held within the 60-day period.

#### Step 4: BOC Acts on First Reading

The BOC acts upon the proposed amendment on first reading. Typically, this item appears on a BOC Regular Meeting agenda before it later is considered for a 2<sup>nd</sup> and final reading and a subsequent BOC regular meeting.

#### Step 5: BOC Public Hearing

The BOC shall provide notice of the public hearing in a newspaper of general circulation in the City of Lakeland. The BOC shall hold the public hearing no sooner than 15 days after the date of publication of the notice. Typically, this item appears on a BOC Work Session agenda before it later is considered on a BOC Regular Meeting agenda for the 2<sup>nd</sup> and final reading.

#### Step 6: BOC Second and Final Reading

The final reading typically occurs at a BOC Regular Meeting, and may not occur sooner than 7 days after the public hearing.

#### Step 7: Subsequent Action

If the BOC approves the zoning map amendment, the Official Zoning Map is revised. If the application is rejected, the applicant must wait 12 months before submitting a comparable application on the property.

**Insert in place of this page the following page:**

“Zone Map Amendment”, flowchart, 11x17”



## **PLANNED DEVELOPMENT**

A planned development is a process authorized by the Zoning Ordinance, Article VI. A planned development approval requires a special permit authorized by resolution and does not change the underlying zoning. However, if a change to the underlying zoning is desired, such a request can be made concurrently with application for a Planned Development.

A planned development offers aspects similar to both rezoning and subdivision. It provides for varying the standards of the underlying zoning and also allows for the creation of lots or parcels for construction of individual buildings.

Since a planned development is authorized as a type of special permit-the applicant has no specific right to a planned development approval. It must be demonstrated by the applicant that the land uses, bulk requirements, and design features will create a better living environment than the standard zoning requirements. The intent and criteria for approval of a planned development are provided in Article VI of the Zoning Ordinance.

The planned development provision is designed to accommodate an overall unified approach rather than the traditional lot-by-lot development. It is intended to enable creative and innovative uses of property in a high quality of design and integration of uses to take advantage of site features. Development strategies such as clustering in combination with additional open space, mixed use developments, and similar approaches to maximize the site features, preserve the natural environment such as trees, water features, and terrain, are encouraged as elements of a planned development.

The Subdivision Regulations also govern the development of Planned Developments in terms of design and improvement standards for streets, drainage and other site improvement requirements. The specific standards of the Subdivision Regulations may be varied by the Board of Commissioners, after a recommendation is made by the Municipal Planning Commission. Planned developments are also subject to the standards of the Lakeland Tree Management Ordinance, and other Lakeland regulations, and all applications must comply with the relevant requirements.

Public notice for MPC and BOC is prepared and coordinated by City Staff for placement in a newspaper of general circulation. Notice is also supplied to the applicant, for the applicant to mail to each nearby property owner abutting within the distance prescribed by the regulations. In addition, the City has a standard format for notification signs to be posted on the site as prescribed by the regulations. It is suggested that these sign(s) be enlarged to a minimum size of 24" x 24" on a weatherproof material. The applicant is required to file a notarized affidavit of notice on a form supplied by the City indicating that

notice has been completed, prior to the applicable MPC or BOC meetings.

The steps involved in the Planned Development process are delineated below:

Step 1: Pre-application Conference

A pre-application conference between the applicant and city staff is required 30 or more days prior to submission of a Preliminary Development Plan.

Step 2: Submit Preliminary Development Plan - PDP

Within 6 months of the pre-application conference, a preliminary development plan must be submitted or a subsequent pre-application conference may be required. The Preliminary Development Plan, must be submitted according to the MPC Annual Filing and Meeting Schedule, approximately 60 or more days prior to the Municipal Planning Commission meeting. Selected requirements of this plan can optionally be deferred for each phase, in part, to a Secondary Detailed Development Plan. See staff for advice on interpreting regulations as to which items can be partially deferred. The applicant should contact MLGW for preliminary design consideration to be incorporated before the application is submitted.

Step 3: Municipal Planning Commission Action

The MPC action can recommend approval with conditions, recommend denial, or at the concurrence of the applicant, the application may be postponed. An applicant has the right to appeal the decision of the MPC to the Board of Commissioners by filing an appeal with the City Manager within 7 days of the MPC action.

Step 4: Board of Commissioners Action

Subsequent to the MPC action, the applicant must submit a Preliminary Development Plan reflecting conditions not appealed within 90 days. The application is then forwarded to the BOC for a public hearing and final action. Typically, this item appears on a BOC Work Session agenda before it later is considered on a BOC Regular Meeting agenda. If an application is rejected by the BOC, there is a 12 month waiting period for submission of a substantially comparable application.

Step 5: Secondary Detailed Development Plan - SDDP (*optional*)

To aid the applicant by providing flexibility in the timing of filing certain plan and documentary requirements otherwise required with the Preliminary Development Plan (PDP), the applicant may optionally choose to partially defer selected requirements of the Preliminary Development Plan by later providing a Secondary Detailed Development Plan (SDDP).

In addition, multiple SDDP's may be utilized, corresponding to each phase.

Generally, preliminary information, though less detailed, is required with the PDP, even if the full requirement is deferred to the SDDP.

The selected items which MPC has authorized as deferrable, and the corresponding information required, is noted in the table below. If a requirement of the PDP is not listed in the table below, it is not deferrable, in whole or in part. Examples of requirements that cannot be deferred in whole or in part include, but are not limited to, traffic studies, boundary survey, legal description, proposed bulk regulations, 2-foot contours, natural features map, stream determinations, school impact study, phasing and termination provisions, and the minimum requirements in Column 2 of the table below.

**Table 1 – PDP requirements which may be partially deferred**

<b>Normal PDP minimum requirement (optional deferral to SDDP is not utilized)</b>	<b>PDP minimum requirement if requirements are partially deferred to the SDDP**</b>
Tree survey	Tree stand delineation included on the Natural Features Map.
Preliminary Plat / lots and improvements	Sketch plan with approximate dimensions, lot sizes, road and pedestrian circulation plan, public facilities, new/existing utilities, known or proposed easements, open spaces, etc.
Preliminary Plat / drainage	Rough drainage sketch and calculations acceptable to the City Engineer, which can be refined and become final with the SDDP
Preliminary Plat / stormwater	Location sketch of proposed stormwater facilities and design approach acceptable to the City Engineer, which can be refined and become final with the SDDP.
Preliminary Plat / grading	General approach to minimizing grading, including a rough grading sketch, and if applicable, related construction practices to control disturbance, which can be refined and become final with the SDDP and/or construction plans.
Preliminary architectural floor plans, elevations, and design guidelines representative of the full range of design options, and fully descriptive written design guidelines which correspond to all types of structures. Architect's signature for mixed use or TND developments. These documents are to be incorporated by reference into the conditions of approval of the PDP	Statement of intent describing the form and style of the development, typical versions which substantively represent the architectural floor plans that will be developed, typical elevations, and the range of building materials to be used. These items can be refined and become final with the SDDP, and an indication in the conditions of approval that the final detailed design guidelines shall be incorporated by reference into the PDP and SDDP.
Illustrative plates for each location or type of landscape area, and all items in Column 2	Statement of intent to comply with the Lakeland Design Guidelines for Landscaping and Screening, and identification of any anticipated requests for waivers thereof, which can be refined and become final with the SDDP.
Landscaping, irrigation, street trees, fences and walls, signs, and lighting. Statement of intent to comply, citing applicable City regulations. General location plans. general renderings or specifications, and identification of any regulatory waivers anticipated.	Revisions to information provided to meet the requirements in Column 1, final location plans, final renderings and specifications, such being subject to Design Review Commission approval.
Maintenance and funding plan for City agreement	Statement of intent to specify costs, funding, and methods to maintain open spaces and facilities, providing language acceptable to the BOC and City Attorney with the SDDP.

\*\* Items which are partially deferred at the PDP stage shall be completed to meet all the requirements in Column 1 with the SDDP. Preliminary Plat requirements for all phases shall be met with the first SDDP filed.

#### Step 6: Submission of Construction Plans

The applicant must submit construction plans to the MPC on a date according to the MPC Annual Filing and Meeting Schedule. The Tree Management Plan and Tree Replacement Plan are also due at this phase of the development process.

#### Step 7: Action on the Development Contract

The City Attorney prepares a development contract reflecting the MPC approvals and the construction plans. The contract and any security placed with the City are submitted to the BOC for action. Subsequent to favorable action by the BOC, the contract is executed.

#### Step 8: Pre-Construction Conference & Site Improvements May Begin

Once the development contract is executed, a pre-construction conference is required with the city staff and construction for site improvements may begin.

#### Step 9: Site Plan or Design Reviews

The applicant must complete applications, and receive approval, for any site plan or design reviews required under the municipal ordinances. These items are normally approved concurrently with or after Final Development Plan approval, and prior to Acceptance. The process to do so should be described and included in the Planned Development application.

#### Step 9: Complete Improvements/Issue Permits

The public improvements included in the development contract must be completed in accordance with approved construction plans and then applications for building permits may be submitted.

#### Step 10: Submission of Final Development Plan, "As-Built" Drawings, and Completion of Improvements

After improvements are completed, the Final Development Plan and as-built drawings must be submitted according to the MPC Annual Filing and Meeting Schedule. The public improvements included in the development contract must be completed in accordance with approved construction plans. The MPC will act on the Final Development Plan and either approve, reject, or require modifications to the Final Development Plan.

#### Step 11: Recordation of Final Development Plan

Upon favorable action by the MPC on the Final Development Plan, the plan may be recorded, at the developer's cost.

#### Step 12: Final Acceptance

The request for final acceptance of the improvements by the City shall be made to the MPC for a recommendation and then sent to the BOC for action. The request shall be submitted at least 30 days prior to the MPC meeting.

Step 13:Warranty Period

Subsequent to final acceptance by the BOC, a twelve 12 month warranty period begins as specified in the development contract.

Step 14: Action on Security

At the end of the warranty period, the City Engineer or City Manager designee will inspect the improvements and recommend release of security or indicate required repairs to the public improvements. The BOC will act upon the recommendation.

Step 15: Post Completion Certificate

Upon completion of the Planned Development in accordance with the approved final development plan the Building Official shall issue a certificate certifying its completion.

***Insert in place of this page the following pages:***

“Process for Planned Developments”, 8.5 x 11”

“Planned Development Process”, flowcharts, 3 pages, 11x17”









## **SUBDIVISION**

The Lakeland Subdivision Regulations are adopted under the authority granted by Section 113-4-301 through 13-4-309, Tennessee Code Annotated. The term “subdivision” as used in these regulations is defined in TCA Section 13-4-301, and in Article I of the Lakeland Subdivision Regulations.

The division of property into two or more parcels is a subdivision. Therefore, a one-lot subdivision does not exist. Divisions of property into lots not complying with the requirements of the Subdivision Regulations shall not be issued building permits. It is the obligation of the subdivider to provide for necessary public improvements including rights-of-way, easements, and construction as specified in the applicable regulations and ordinances of Lakeland.

There are major and minor subdivisions based upon the number of lots or improvements required such as streets or utilities. The definitions in Article I provide a more detailed explanation.

All lots in a subdivision must comply with applicable zoning and subdivision requirements, as well as the Lakeland Tree Management Ordinance, and the City of Lakeland Design Guidelines, unless waivers or variances, if permitted, are obtained.

Public notice for MPC is prepared by City Staff in a standard format which the City places in the newspaper. This same notice is supplied to the applicant, for the applicant to mail to each nearby property owner abutting within the distance prescribed by the regulations. In addition, the City has a standard format for notification signs to be posted on the site as prescribed by the regulations. It is suggested that these sign(s) be enlarged to a minimum size of 24” x 24” on a weatherproof material. City Staff can supply a copy of the notice forms. The applicant is required to file a notarized affidavit of notice on a form supplied by the City indicating that notice has been completed, prior to the applicable MPC meeting.

The steps involved in the Subdivision process are delineated below for a Major Subdivision:

### Step 1: Pre-application Conference

A pre-application conference between the applicant and the city staff must be conducted prior to submission of a Preliminary Plat.

### Step 2: Submit Preliminary Plat

Within 6 months of the pre-application conference, a Preliminary Plat shall be submitted in conformance with the standards of Article II, Section D. In addition to the Subdivision Regulations requirements, the Lakeland Tree

Management Ordinance requires submission of a Tree Survey. The plat must be submitted on or prior to a monthly filing deadline according to the MPC Annual Filing and Meeting Schedule (usually 28-30 days prior to the MPC meeting). The applicant should contact MLGW for preliminary design consideration to be incorporated before the application is submitted.

#### Step 3: MPC Action

Within 30 days the MPC must act on the Preliminary Plat at a public meeting and indicate approval or disapproval of the plat. The MPC may also hold the matter under advisement or defer until the next regular meeting.

#### Step 4: Water, Sewer, and Tree Ordinance Plans

Subsequent to the approval of the Preliminary Plat by the MPC, the applicant must seek approval of the Sewer Plan by the Lakeland Board of Sewerage Commissioners. All water and sewer plans must be approved by the Tennessee Department of Conservation and Environment prior to approval of the construction plans. All requirements of the Lakeland Tree Management Ordinance, including Tree Management and Tree Replacement Plans, must be submitted prior to action on construction plans by the MPC.

#### Step 5: Construction Plan Approval

Construction plans must be submitted according to the MPC Annual Filing and Meeting Schedule, approximately 30 or more days prior to the Municipal Planning Commission meeting. The Subdivision Regulations, Article II, specifies the construction plan requirements. In addition to the standard requirements, additional requirements of the construction plan submittal include: 1) Storm Water Discharge Certificate; 2) a Grading Plan; 3) Tree Removal Permit; and 4) Water and Sewer Plan approval.

#### Step 6: Design Review

Any required design reviews by the Lakeland Design Review Commission for signage, fencing, or other issues covered by the ordinance shall be completed.

#### Step 7: Contract Approval

The City Attorney prepares the development contract and, upon acceptance by the applicant, submits the contract to the BOC for action. The contract steps do not require public notice.

#### Step 8: Execute Contract, Security, and Begin Improvements

After approval of the contract by the BOC and any design reviews by the DRC, the development contract may be executed, any security placed with the City, and then the applicant is authorized to begin construction on improvements specified in the Construction Plans.

Step 9: Final Plat Approval, As-builts, and Completion of Improvements  
Improvements must be completed, and the complete Final Plat and "As-Built" Drawings must be submitted prior to the MPC meeting, according to the Annual MPC Filing and Meeting Schedule. Within 30 days of submittal, the MPC shall act upon the Final Plat. Certain landscape improvements may be deferrable until prior to Final Acceptance. This step and subsequent acceptance & warranty steps do not require public notice. *Note: in 2007, the Tennessee legislature was considering changing the platting filing period to 60 days. This filing period may change.*

Step 10: Final Acceptance

The request for final acceptance of the improvements by the City shall be made to the MPC for a recommendation and then to the BOC for action. The request shall be submitted prior to the MPC meeting, according to the Annual MPC Filing and Meeting Schedule.

Step 11: Warranty Period

Subsequent to final acceptance by the BOC, a twelve 12 month warranty period begins as specified in the development contract.

Step 12: Release of Security

At the end of the warranty period, the City Engineer or City Manager designee will inspect the improvements and recommend release of security or indicate required repairs to the public improvements. BOC will act accordingly.

**Insert in place of this page the following pages:**

“Subdivision Process”, flowchart, 11x17”

## DESIGN REVIEW

The Lakeland Design Review Commission, authorized by Ordinance 98-02 and amended by Ordinance 00-14 December 2000, and Lakeland Design Review Commission Manual, January 1990, is established to develop specific review procedures for all non-single-family-residential-detached construction or development and associated structures having an influence upon the appearance of the environment of the community and to apply such procedures in either approving or disapproving proposals for such improvements in the City.

The following are subject to LDRC approvals:

- Exterior appearances of all proposed construction except single-family-detached-residential structures and associated structures
- Construction, exterior alteration, moving, demolition or change in use of either land, building and land in commercial, historical districts and planned developmental proposals of any nature
- Signs, lighting, parking, fences and landscaping
- Entrance treatment for subdivisions
- Items referred to DRC by the MPC or BOC

Site plan approval and other approvals required from the MPC shall usually be required to be obtained prior to submission to the LDRC. DRC applications / meetings do not require public notice.

The steps involved in the Design Review process are delineated below:

### Step 1: Pre-application Conference

A pre-application conference between the applicant and the city staff is recommended to familiarize the applicant with the requirements and procedures governing the application.

### Step 2: Submit Application

Subsequent to the pre-application conference, the applicant may submit a completed application according to the requirements contained in Ordinances 98-02 and 00-14 and the Lakeland Design Review Commission Manual.

### Step 3: LDRC Action

The LDRC shall render a decision on the application. The decision may be appealed to the BOA if a written letter of appeal is submitted to the Lakeland City Manager within 5 days of the LDRC action. The Lakeland BOA shall act upon the appeal within 60 days of the appeal.

Step 4: Development Contract

If the appeal is granted, a development contract is prepared by the City Attorney and submitted to the BOC for approval.

Step 5: Building Permits

The Building Official may issue permits after the development contract has been executed and all other necessary approvals have been granted.

**Insert in place of this page the following pages:**

“DRC Process”, flowchart, 11x17”



## **SITE PLAN REVIEW**

According to the Zoning Ordinance, Article IV Section 2 specifies the requirements and procedures for Site Plan Review. The MPC handles the review of the site plan. Certain aspects of a site plan must also be considered by the Lakeland Design Review Commission. The previous section outlines the matters that are subject to the LDRC.

In general there are two circumstances that require Site Plan Review: 1) Permitted Uses, designated "P" in chart 1 of the Zoning Ordinance, Article IV, Section 1; and 2) Special Exceptions, designated as "C" in Chart 1, requiring Board of Appeals approval.

Public notice for MPC Preliminary Site Plans is prepared by City Staff in a standard format which the City places in the newspaper. This same notice is supplied to the applicant, for the applicant to mail to each nearby property owner abutting within the distance prescribed by the regulations. In addition, the City has a standard format for notification signs to be posted on the site as prescribed by the regulations. It is suggested that these sign(s) be enlarged to a minimum size of 24" x 24" on a weatherproof material. City Staff can supply a copy of the notice forms. The applicant is required to file a notarized affidavit of notice on a form supplied by the City indicating that notice has been completed, prior to the applicable MPC meeting.

The Site Plan requirements of Article IV, Lakeland Zoning Ordinance, contain procedures for both a Preliminary Site Plan, and a Final Site Plan. In some cases, these can be combined into one step. However, normally, the applicant will be encouraged file the Preliminary Site Plan separately and obtain approval before proceeding with a Final Site Plan. Public notice is not required for a Final Site Plan.

The process for Site Plan Review is provided below:

### Step 1: Pre-Application Conference

A pre-application conference between the applicant and city staff is required, about one month prior to submission of a site plan.

### Step 2: Submit Site Plan

The site plan should be submitted on or prior to a monthly filing deadline according to the MPC Annual Filing and Meeting Schedule (approximately 30 or more days prior to the meeting of the Municipal Planning Commission).

### Step 3: MPC or BOA Action

The MPC can approve, approve with conditions, or reject the site plan. If the BOA handles a site plan in conjunction with a special exception (conditional use), it must also be submitted to the MPC for approval.

### Step 4: Design Review

When applicable, the Lakeland Design Review Commission may require approval of an application subsequent to the approval of the MPC or BOA. In these cases, the site plan must be submitted to the DRC at least 30 days prior to the meeting and be acted upon within 60 days. The DRC meeting does not require separate public notice.

### Step 5: Execute Site Plan

Subsequent to the necessary approvals, the site plan is executed and is valid for 12 months.

### Step 6: Development Contract

Where public improvements are required or other issues that require a development contract, the contract is prepared and submitted to the BOC for approval. This step does not require public notice.

### Step 7: Permit Applications

Subsequent to approval and execution of the development contract, if required, applications for permits may be submitted and issued.

**Insert in place of the page the following pages:**

“Site Plan Process”, flowchart, 11x17”

## **VARIANCE, CONDITIONAL USE, OR APPEAL**

According to the Zoning Ordinance Article XII, Section 5 B and C, the Board of Appeals has the authority to grant variances from the Zoning Ordinance and Tree Ordinance requirements. There are very specific circumstances that must be present to justify a variance from the zoning ordinance. The conditions include unusual physical or topographic conditions or unusual hardship. Conditions that do not justify a variance are solely financial considerations, a self imposed hardship, or uses not permitted under the zoning of the property.

The BOA also has authority to grant Conditional Uses (also called Special Exceptions). For these types of items, BOA has additional criteria to consider in the design, impact, and compatibility of the request.

Finally, the BOA also has the authority, under Zoning Ordinance Article XII and Article IV Section 2, to grant appeals for interpretations of the Building Official regarding the Zoning Ordinance and for Site Plan Review for Special Exceptions specified in the Zoning Ordinance.

The process for consideration of an appeal, conditional use, or variance application is provided below:

### **Step 1: Applicant Files Notice of Appeal, Variance, or Conditional Use Request**

An applicant files with the City Manager and a hearing date is set. A completed application must be submitted at the time of the request. The BOA does not have a regularly scheduled meeting, but rather holds a monthly scheduled meeting only when applications are submitted.

### **Step 2: BOA Hearing**

The BOA sets the hearing date and provides public notice at least 7 days prior to the BOA meeting. At the hearing, the applicant as well as any interested citizens may make comments and make a presentation regarding the request.

### **Step 3: BOA Acts on Application or Appeal**

A decision must be rendered and the applicant notified. The BOA may impose conditions and restrictions to reduce or minimize any injurious effect of the request on surrounding property or to better carry out the general intent of the zoning ordinance.

### **Step 4: Application For Permits**

Subsequent to the approval of the BOA, applications for permits may be granted subject to the satisfactory completion of any other regulatory requirements.

## LAND DISTURBANCE PERMIT

A Land Disturbance Permit is issued by the MPC after review and approval of a plan submitted in accordance with the Tennessee Erosion and Sediment Control Handbook. Land disturbance is defined stringently and includes excavation, fill, or clearing land. If there is a doubt whether a Land Disturbing Permit is required, it is recommended that the owner or developer contact the City Engineer or City Manager for a determination. Public notice is not required for this item.

The steps involved in obtaining a Land Disturbing Permit are delineated below:

### Step 1: Prepare an Erosion & Sediment Control Plan

Upon determination that a Land Disturbance Permit is required, an application and Erosion and Sediment Control Plan must be prepared in conformance with the specifications and principles detailed in the Tennessee Erosion and Sediment Control Handbook. This includes a narrative describing the site, proposed project, and area of disturbance. It also includes a site plan graphically illustrating the site and proposed erosion and sediment control measures. A Tree Survey, Tree Management Plan, and Tree Replacement Plan are also required. For sites under one (1) acre the applicant must submit an application to the City Engineer who will consult with the City Manager for possible administrative approval.

### Step 2: MPC Action on Application (Sites Over (1) Acre)

For sites one (1) acre or more, submit the completed application and plans to the MPC at least 30 days prior to the meeting. The MPC may approve, reject, or request modifications to the plans.

### Step 3: Post Any Bonds or Surety

Following approval of the application for a Land Disturbance Permit, the applicant shall submit any required bond, or surety required, and execute an agreement with the City specifying the requirements of the permit.

### Step 4: City Inspects Site

Upon execution of the agreement, the City staff will inspect the site to verify that the required erosion and sedimentation control measures are properly installed.

### Step 5: Issue Permit

The Land Disturbance Permit will then be issued.

## TREE REMOVAL PERMIT

The removal of tree from property in Lakeland is subject to the Lakeland Tree Management Ordinance approved February 1, 2002. There are provisions to allow timber harvesting according to TCA 6-54-126 with proper applications and submission of plans for harvesting, reforestation, and erosion control certification. Other aspects of development including: rezoning, subdivision, planned developments, site plan review, variances, land disturbing permits, and buildings permits require approval for removal of trees unless specifically exempted by the ordinance or approved by the City Forester.

The approval processes in previous sections specify the timing and requirements for submission of an application for a tree removal permit. The Lakeland Tree Management Ordinance also specifies these requirements. To summarize the basic steps for the various processes, the following is provided:

### Timber Harvesting

The Tennessee Code Annotated, Section 6-54-126, provides for the harvesting of trees on agricultural properties. This does not include timber harvesting incidental to the development of land. An application for the timber harvesting includes a Timber Harvest Plan, a Reforestation Plan, and an Erosion Control Plan and Certification. The approval of timber harvesting also requires the suspension of all development approvals for a 10 year period.

### Single Family Or Duplex

The removal of a specimen tree requires approval of the City Forester and a tree removal permit. This includes removal of a tree for any purpose including outbuildings, swimming pools, fences, etc. Removal of specimen trees that are dangerous or pose a hazard to life or property may be removed with approval of the City Forester, except in cases of emergency. Removal of non-specimen trees from owner occupied single family or duplex lots is exempt from the provisions of the Lakeland Tree Management Ordinance.

### Subdivisions or Planned Developments

When a Tree Survey is submitted with an application for a subdivision or planned development, prior to consideration for approval as part of a development application, the City Forester will inspect the property and provide comments. A Tree Management Plan, including a Tree Replacement Plan if applicable, must later be submitted with the Construction Plans. All plans must be specifically approved prior to the removal of trees.

### Rezoning

A Tree Survey is required as a part of the application for a rezoning. While a rezoning does not necessarily authorize the subsequent development of the property, it does provide for certain land uses and densities that may have a significant impact on the terrain and natural vegetation. Subsequent tree management ordinance requirements will be submitted as specific development approvals are sought.

### Site Plan Review/Land Disturbing Permit

Site plan approvals as specified in the Zoning Ordinance, as well as Land Disturbing Permits, require compliance with the Lakeland Tree Management Ordinance. This includes submission of Tree Survey to enable an assessment of the impact of the proposed development upon the vegetation on the site. The normal process for approval of the proposed development commences after submission of appropriate Lakeland Tree Management Ordinance requirements and a recommendation by the City Forester.

### Variances, Waivers or Appeals

The decisions of the City Forester may be appealed to the Board of Appeals. Waivers or variances are handled by the Board of Commissioners.

## **CHAPTER 5 - LAKELAND INFORMATION SOURCES**

Lakeland Website - [www.lakelandtn.gov](http://www.lakelandtn.gov), includes electronic postings of board or commission meetings, and minutes of meetings,

Civic Club Web Site - [www.lakelandcivicclub.com](http://www.lakelandcivicclub.com)

Citywatch – Newsletter published and mailed to residents bimonthly by the Council of Lakeland Associations

Channel 19 (on Cable TV)

Lakeland Chamber of Commerce - [www.lakelandchamberofcommerce.com](http://www.lakelandchamberofcommerce.com)

QNET- Electronic mail server - [Qnetcola@bellsouth.net](mailto:Qnetcola@bellsouth.net) - sends e-mail bulletins containing board agendas and other information. Send an email to that address to request this service.

Minutes of all City board meetings are public records and can be requested from the City Recorder.

Public notices for development requests for the Municipal Planning Commission, Board of Appeals, and Board of Commissioners may be placed in the following newspapers: East Shelby Review, or the Commercial Appeal.



# **GLOSSARY OF ABBREVIATIONS**

<b>BOA</b>	<b>Board of Appeals</b>
<b>BOC</b>	<b>Board of Commissioners</b>
<b>DRC</b>	<b>Design Review Commission</b>
<b>EDC</b>	<b>Economic Development Commission</b>
<b>MPC</b>	<b>Municipal Planning Commission</b>
<b>PRB / NRB</b>	<b>Parks and Recreation Board / Natural Resources Board</b>

# **APPENDIX**

**See the Administrative Planning Coordinator for development application forms. Some miscellaneous forms and checklists follow.**

***Insert Affidavit of Notice forms in place of this page.***

***Insert sign posting form in place of this page.***